

**The Parish of  
Ashbury Neighbourhood Plan 2018 - 2031  
Basic Conditions Statement**

Published by the Ashbury Neighbourhood Plan Steering Group on behalf of Ashbury  
Parish Council under the Neighbourhood Planning (General) Regulations 2012

**December 2018**

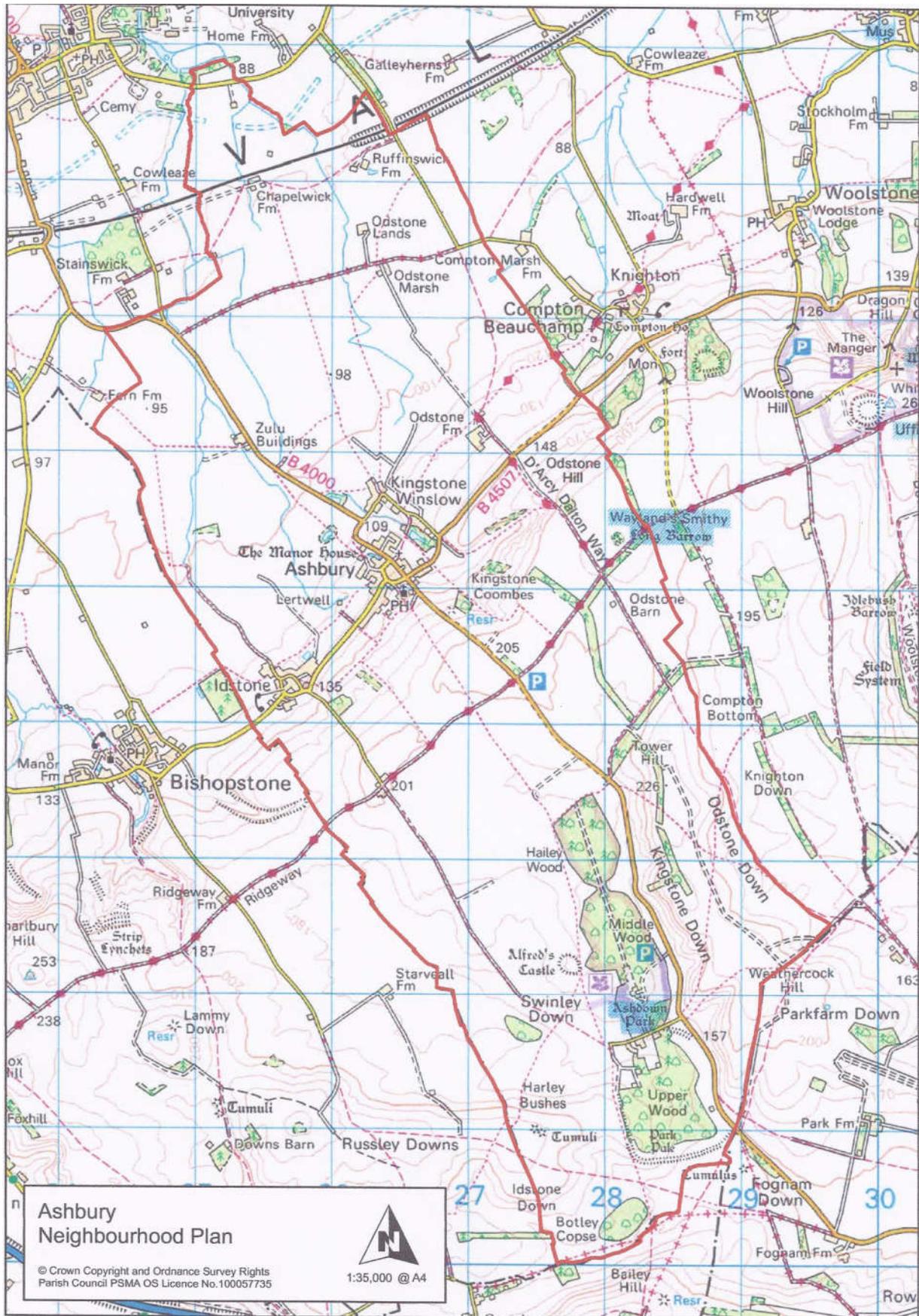
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## I INTRODUCTION

- 1.1 This Statement has been prepared by the Parish of Ashbury Neighbourhood Plan Steering Group on behalf of Ashbury Parish Council (“the Parish Council”) to accompany its submission to the local planning authority, the Vale of White Horse District Council (“the District Council”), of the Parish of Ashbury Neighbourhood Plan (“the Neighbourhood Plan”) under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).
- 1.2 The Neighbourhood Plan has been prepared on behalf of the Parish Council, a qualifying body, for the Neighbourhood Area covering the whole of the Parish of Ashbury, as designated by the District Council on the 19<sup>th</sup> September 2016 (see Fig 1 below). The policies described in Section 7 of the Neighbourhood Plan all relate to the development and use of land in the designated Neighbourhood Area. It does not contain policies relating to excluded development as defined by, and in accordance with, the Regulations. The plan period of the Neighbourhood Plan is from 1<sup>st</sup> April 2018 to 31<sup>st</sup> March 2031.
- 1.3 The concurrent work of the District Council on its 2-part Local Plan indicated that the opportunity to have input to future local development, as stated at Paragraph 183 of the 2012 NPPF, should be taken:  
  
*“Neighbourhood Planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need.”*
- 1.4 The main purpose of the Plan is to define land-use policies that can be used to help determine planning applications and appeals within the designated area. The resulting policies, which have been the subject of significant consultation within the Parish, do not allocate land for development, and therefore the resultant plan is ‘non-allocating’. Consequently, the District Council determined that neither a Strategic Environmental Assessment (SEA) nor a Habitats Regulations Assessment (HRA) was required.
- 1.5 The Steering Group of the qualifying body has sought to create a plan which addresses the issues of today, and a positive and directed view of future development, to meet the needs of appropriate housing for local people, and new incoming residents, whilst meeting the need for sustainable development, without detriment to the nature of the locality. This is a fine balance, but it is believed that with the evidence base submitted, that justification for the declared policies, achieves the need to meet the basic conditions, and establishes ‘general conformity’ with the strategic policies of the Development Plan.
- 1.6 The Statement addresses each of the five ‘basic conditions’ required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act (as amended).

**Fig 1 - The Designated Parish of Ashbury Neighbourhood Plan Area**



## **2 BACKGROUND TO THE NEIGHBOURHOOD PLAN**

- 2.1 The decision to proceed with a Plan was made by the Parish Council in 2016. A chief concern was to ensure that local planning policies were sufficiently robust & specific to protect the character of the parish, and especially the unique historic character of the settlements, at a time when the trend towards relaxation of planning restrictions was gathering pace. For this reason, the Neighbourhood Plan is designed to complement and refine as appropriate the policies of the Vale of White Horse Local Plan 2031 Part 1 (LPP1) adopted on 14<sup>th</sup> December 2016, and the emerging Local Plan 2031 Part 2 (LPP2).
- 2.2 A Neighbourhood Plan Steering Group was formed by the Parish Council, comprising parish councilors and members of the local community and it was delegated authority to make day-to-day decisions on the Neighbourhood Plan. However, as a qualifying body, the Parish Council itself approved the publication of the Pre-Submission Neighbourhood Plan of June 2018 and now the Submission Neighbourhood Plan of October 2018.
- 2.3 There has been very considerable community engagement activity on the Plan. This is laid out in detail in the separate Consultation Statement, which is published by the Parish Council as part of the submission documentation. The Parish Council has worked closely with officers of the District Council during the preparation of the Neighbourhood Plan to ensure the relationship between the Plan and the policies of LPP1 and reasoning and evidence of the emerging LPP2 have been properly understood. The Steering Group has also benefited from the professional planning and design advice of Bluestone Planning Partnership LLP, a practice which is now being consulted by The Vale of the White Horse District Council.
- 2.4 The Neighbourhood Plan does not seek to allocate development sites but instead contains eight land use policies intended to take a positive and directed view toward future development. For this reason the Parish Council has deliberately sought to focus policies on the key issues that matter to the local community and to avoid proposing policies that may duplicate national planning guidance and/or development plan policies that are already material considerations in determining future planning applications.
- 2.5 The Neighbourhood Plan and its supplementary evidence documents, are supported by a Consultation Statement, a Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) Screening Statement Opinion document, and this Basic Conditions Statement.

### 3 NEIGHBOURHOOD PLAN REQUIREMENTS

- 3.1 The object of this Basic Conditions Statement is to explain how the Neighbourhood Plan has been prepared in accordance with Section 15 of the Neighbourhood Planning (General) Regulations 2012, (as amended).
- 3.2 The Statement addresses each of the five 'basic conditions' required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of Paragraph 8(2) of Schedule 4B to the 1990 Town & Country Planning Act.
- 3.3 The Regulations state that a Neighbourhood Plan will be considered to have met the basic conditions if:
- ***Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan;***
  - ***The making of the neighbourhood plan contributes to the achievement of sustainable development;***
  - ***The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);***
  - ***The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations; and***
  - ***Prescribed conditions are met in relation to the Neighbourhood Plan and prescribed matters have been complied with, in connection with the proposal for the Neighbourhood Plan.***

## **4 RELATED STATEMENTS**

- 4.1 The Parish Council is a qualifying body and entitled to submit a Neighbourhood Plan. The Neighbourhood Plan expresses policies that relate to the development and use of land, only within the designated neighbourhood plan area.
- 4.2 The neighbourhood plan area is contiguous with the parish boundaries, as shown in the map accompanying the neighbourhood area designation. See Figure 1.
- 4.3 The Neighbourhood Plan covers the period from 2018 to 2031 – i.e. from the year the Neighbourhood Plan was submitted to the end of the District Council's Local Plan period.
- 4.4 The Neighbourhood Plan does not deal with excluded development such as County matters (mineral extraction and waste development), nationally significant infrastructure, or any other matters set out in Section 61K of the Town and Country Planning Act 1990 (as amended).
- 4.5 The Neighbourhood Plan does not relate to more than one neighbourhood area. It is solely related to the Parish of Ashbury as designated by the District Council on 16<sup>th</sup> September 2016.
- 4.6 There are no other neighbourhood plans in place for the Parish of Ashbury Neighbourhood Plan area.

## **5 CONFORMITY WITH NATIONAL PLANNING POLICY**

- 5.1 The Neighbourhood Plan has been prepared with regard to national policies as set out in the National Planning Policy Framework (NPPF) and is mindful of the Planning Practice Guidance (PPG) in respect of formulating neighbourhood plans.
- 5.2 A revised NPPF was published 24th July 2018. However, the Neighbourhood Plan is subject to the governance of the 2012 NPPF, as submission precedes the January 24th, 2019, cut-off date (Source: 2018 NPPF Para. 214)
- 5.3 In overall terms, there are three NPPF paragraphs that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded:

### **Para 16**

- 5.4 The Parish Council believes the Neighbourhood Plan is planning positively for future development in the Parish within the considerable environmental constraints that apply, and that it is consistent with the provisions of the LPP1. The parish is very rural in character and remote from the larger populations of the district and, with the exception of Ashdown, a National Trust estate afforded commensurate protection; the principal areas of habitation comprise spring-line settlements located against the escarpment that leads onto the North Wessex Downs.
- 5.5 In fact some 50% of the parish including Ashdown is located within the North Wessex Downs, an Area of Outstanding Natural Beauty. Idstone and a large proportion of Ashbury village are designated Conservation Areas, containing many listed buildings and other buildings of significant interest, as do the hamlets of Kingstone Winslow & Odstone. As Ashbury village is designated a 'smaller village' in the district settlement hierarchy, while the other settlements are all considered 'open countryside' there is no expectation of any major development within the parish. However, Policies 1 & 4 allow for small infill development schemes within suitable locations of the built-up areas of the parish.

### **Para 183**

- 5.6 The Neighbourhood Plan establishes a clear vision and objectives for the parish that reflect the views of the majority of the local community. It has sought to translate the objectives into a small number of meaningful planning policies to complement other development plan policies for managing development proposals.

### **Para 185**

- 5.7 The Parish Council believes the Neighbourhood Plan, as is highlighted below, is in general conformity with all the relevant policies of LPP1 and the emerging LPP2 and this has been confirmed by officers of VWHDC. The ANP is considered to strike a positive balance between the considerable policy constraints of the Parish and the need to support some degree of change within the settlements.
- 5.8 The Neighbourhood Plan avoids duplicating development plan policies by focusing on policies that translate the general requirements of the development plan and other adopted supplementary planning guidance into specific policies that better address the social needs and unique qualities of the parish. Once made, the Neighbourhood Plan should be easily considered alongside the LPP1, the emerging LPP2 and any other material considerations in determining planning applications.

5.9 The Neighbourhood Plan policies are listed in Tables 1 below together with a brief summary of how each has regard for one or more of the specified NPPF policies. The particular paragraphs referred to in the respective tables are those considered the most relevant to each policy but are not intended to be an exhaustive list of all relevant paragraphs. Having regard to national policy and guidance it is considered appropriate to make the Parish of Ashbury Neighbourhood Plan.

**Table 1**

<b>ANP Policy</b>	<b>Relevant NPPF 2012 sections</b>	<b>Relevance to NPPF 2012</b>
Policy 1 - Design and Heritage	17, 56-68, 126-141	This policy tailors core NPPF objectives to provide a template against which to measure the suitability of proposed development with regard to quality & sustainability, while minimising any negative impact on the local character or heritage assets.
Policy 2 - Key Views & Vistas	17, 56-68, 126-141	This policy seeks to ensure that the natural environment, character and key views & vistas of the ANP area are protected in order to maintain its rural character & historical context.
Policy 3 - Dark Night Skies	17, 56-68, 126-141	By encouraging good design, this policy seeks to minimise light pollution within the ANP area in order to maintain its rural character
Policy 4 - Spatial Plan	17, 54--55, 109-112, 115-116	This policy seeks to ensure that future development optimises the use of 'infill sites' to better maintain the separation of the Parish's settlements, such separation being key to maintaining the distinctive feel & historical context of the ANP area.
Policy 5 - Transport & Accessibility	17, 29-41, 75	This policy seeks to ensure that new development makes a positive contribution to public rights-of-way & access, while minimising any adverse impact on current traffic flow within the settlements.
Policy 6 - Local Green Spaces	17, 76-78	This policy seeks to protect habitats that support significant bio-diversity, and other green spaces that are of particular value to the community.
Policy 7 - Community Facilities	17, 28, 70, 156-157, 162, 173-177, 203-204	This policy seeks to support existing businesses, community facilities and services, seeking to guard against their loss other than where justified in specific circumstances.

Policy 8 - Infrastructure	17, 28, 70, 156, 157, 162, 173-177, 203-204	This policy secures the provision or funding of infrastructure to mitigate the effects of development, with particular regard to school capacity, sustainable transport measures, healthcare provision, sewerage treatment capacity, water supply, public open space and utility connections.
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## 6 CONTRIBUTION TO THE ACHIEVEMENT OF SUSTAINABLE DEVELOPMENT

- 6.1 There are three dimensions to sustainable development: economic, social and environmental (paragraph 7, NPPF). The three dimensions are mutually dependent. In addressing the above basic conditions, the Neighbourhood Plan pays particular regard to NPPF, Paragraph 10, which requires that: 'Plans and decisions take account of local circumstances so that they respond to the different opportunities for achieving sustainable development in different areas'; i.e. 'sustainable development' will differ from one area to another.
- 6.2 In considering the economic role, the Plan does not seek to control employment development, but the policies will help to maintain the local rural economy by seeking to retain and enhance local community infrastructure which will in turn help to support local jobs remaining in the Parish (policies 7 and 8).
- 6.3 Turning to the social role, the Plan's policies fully meet the social element of sustainable development, by seeking to ensure that an appropriate level of infrastructure is maintained commensurate with the needs of the community and by guarding against the loss of valued community facilities (policies 7 and 8).
- 6.4 In considering the environmental role, the Plan seeks, where appropriate, to protect and/or enhance the local character and quality of the Parish and its settlements, the surrounding landscape and heritage assets, dark skies, views throughout the Parish, local green spaces and to encourage sustainable transport initiatives (policies 1–6).
- 6.5 The VWHDC Local Plan Part 1 defines Ashbury as a Small Village, while the settlements of Ashdown, Idstone, Kingstone Winslow & Odstone are all deemed to be 'open countryside'.
- 6.6 Applying these principles, the Parish Council has sought to fulfill its obligations to sustainable development by supporting development:
- In Ashbury:* i) Through the use of infill sites within the built-up area of the settlement where this does not adversely impact on adjacent historical or otherwise important sites, or as otherwise allocated in the VWHDC Local Plan; and
- Elsewhere:* ii) Where it is limited to that which is considered appropriate development within the countryside as specified by the relevant policies of the Development Plan or national planning policy – e.g. under 'permitted development rights' legislation in respect of redundant agricultural buildings.
- 6.7 Proposals to redevelop brownfield sites within the Parish will also be determined in accordance with the policies of the Development Plan and national planning policy.

## **7 GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF VWHDC DEVELOPMENT PLAN**

7.1 The VWHDC Development Plan currently comprises the following:

- a) The VWHDC Local Plan Part.1 2011-2031 [LPP1].
- b) Saved Policies of the VWHDC Local Plan 2011.

The emerging VWHDC Local Plan Part.2 2011-2031 [LPP2] has, at the time of writing, yet to be adopted. Where appropriate, strategic policies expected in LPP2, have been referenced to indicate conformity.

7.2 The policies of the Neighbourhood Plan are shown in Table. 2 below together with a brief summary of how each conforms with the relevant strategic policies of the Development Plan. Any Development Plan policy that is not referenced is not considered relevant to the Neighbourhood Plan as it does not have any related policies.

**Table 2**

<b>ANP Policy</b>	<b>VWHDC Strategic Policy</b>	<b>Relevance to VWHDC Strategic Policies</b>
Policy 1 - Design and Heritage	CP23, CP37, CP39, CP40, CP44	This policy aligns with the Vale Design Guide 2015 and both the Core Policies CP37 & CP40, to promote good design, local distinctiveness and sustainable construction as applicable
Policy 2 - Key Views & Vistas	CP23, CP37, CP39, CP40, CP44	This policy, based upon CP44, outlines the need for all proposed new development to maintain or enhance key views & vistas into our unique landscape, to better appreciate heritage assets and their historical setting.
Policy 3 - Dark Night Skies	CP23, CP37, CP39, CP40, CP44	This policy seeks to ensure that within the landscape, light pollution at any new development does not adversely impact on the dark skies of the ANP area.
Policy 4 - Spatial Plan	CP3, CP4, CP20, CP43, CP44	This policy reflects that no housing allocation was given via CP3 and 4, while surveys conducted during the ANP proces indicated that there was no significant local need. Any development should therefore be measured against CP43 & CP44, and will contribute to the 'windfall' referenced in CP20a of the emerging LPP2 .
Policy 5 - Transport & Accessibility	CP33, CP35, CP37	This policy draws upon DG31 of the Vale design Guide 2015, the object being that new development should maintain or enhance cycle and footpaths to encourage non-vehicle movement (CP35), while maintaining the distinct rural character of the ANP area (CP37)
Policy 6 - Local Green Spaces	CP44, CP45	This policy seeks to ensure that any development integrates with the landscape (CP44), and that it retains or adds to green features & bio-diversity, while mitigating any habitat loss (CP45 and CP46).
Policy 7 - Community Facilities	CP7, CP33, CP35, CP36, CP37, CP45	This policy seeks to support local amenities & facilities, some of which are of prime importance to the community. There is no specific strategic policy within LPP1 for this but does align to DP8 & DP9 of the emerging LPP2, albeit this are not strategic policies.
Policy 8 - Infrastructure	CP7, CP33, CP35, CP36, CP37, CP45	This policy provides a local context to Local Plan Part 1 policy CP7, particularly when read in conjunction with the key infrastructure requirements at Appendix 3 to the Neighbourhood Plan.

## **8 COMPATIBILITY WITH EU OBLIGATIONS AND LEGISLATION AND PRESCRIBED CONDITIONS**

- 8.1 The Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act, 1998.
- 8.2 As referenced in 1.3 above the Neighbourhood Plan steering group, on behalf of the Parish Council, submitted a formal screening request regarding the need for a Strategic Environmental Assessment (SEA) and a Habitats Regulation Assessment (HRA) of the draft Neighbourhood Plan on 8<sup>th</sup> August 2017. On 14<sup>th</sup> March 2018, the District Council formally certified neither a SEA nor HRA were required. It is therefore considered that the making of the Parish of Ashbury Neighbourhood Plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) (either alone or in combination with other plans or projects).

## **9. FINAL OBSERVATION**

- 9.1 In submitting the Parish of Ashbury Neighbourhood Plan and the policies therein for examination, the Parish Council consider that the Basic Conditions as set out in Schedule 4B of the Town and Country Planning Act 1990 (as amended) and Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended) have been met.